

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
(Alexandria Division)**

IN RE:

ALICE JEAN VASKO

Case No. 17-13957 BFK  
(Chapter 13)

Debtors

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HOYA FEDERAL CREDIT UNION  
3700 Reservoir Rd NW  
Washington, DC 20057

Judge Brian F. Kenney

Movant

v.

ALICE JEAN VASKO  
15378 Inlet Place  
Dumfries, VA 22025

Debtor

and

THOMAS P. GORMAN  
300 N. Washington St., Ste. 400  
Alexandria, VA 22314  
Chapter 13 Trustee

Respondents

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**MOTION FOR RELIEF FROM AUTOMATIC STAY AND CO-DEBTOR STAY**  
15378 Inlet Place, Dumfries, Virginia 22025

Diana C. Theologou  
VSB#84536  
Silverman Theologou, LLP  
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Attorney for HOYA Federal Credit Union

HOYA Federal Credit Union (“HOYA”), Movant, by and through its Counsel Silverman Theologou, LLP, and Diana C. Theologou, Esq., files this Motion Seeking Relief from Automatic Stay, and says:

1. This Court has jurisdiction pursuant to 11 U.S.C. § 362(d) , §1301 and 28 U.S.C. §§157(B) and 1334.

2. This is a contested matter governed by Bankruptcy Rules 4001 and 9014 and Local Bankruptcy Rule 4001-1, and is a core proceeding pursuant to 28 U.S.C. 157(b)(2)(g).

3. On November 20, 2017, Alice Jean Vasko, the Debtor, initiated proceedings in this court seeking relief under Chapter 13 of the Bankruptcy Code.

4. On or about September 5, 2008, the Debtor executed and delivered to HOYA a Promissory Note in the original principal amount of \$65,000.00 (“Note”). A copy of the Note is attached hereto as Exhibit “A”.

5. To secure repayment of the Note, Debtor executed and delivered to HOYA a Deed of Trust dated September 5, 2008 and recorded among the Land Records of Prince William, Virginia on September 12, 2008 at Instrument Number 200809120088197 (attached hereto as Exhibit “A”), encumbering the property commonly known as 15378 Inlet Place, Dumfries, VA 22025 (“the property”) and more particularly described as:

Lot 46, Section N-6, Stage 3, MONTCLAIR, as the same appears duly dedicated, platted and recorded in Deed Book 1344 at Page 851, and Map Book 61 at Page 109, among the land records of Prince William, County.

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Attorney for HOYA Federal Credit Union

6. HOYA is currently owed by the Debtor under the Loan Documents the sum of \$62,993.77, plus attorney's fees and costs.

7. The proposed plan provided for pre-petition arrears to be paid by the Trustee and post petition payments to be paid by the Debtor directly to HOYA.

8. The Debtor is due for the December 16, 2017; January 16, 2018; February 16, 2018 and March 16, 2018 post petition payments in the amount of \$594.74 each.

9. The Debtor has only made one post petition payment in the amount of \$857.00 on January 18, 2018. The post petition arrears are currently \$1,521.96 plus \$750.00 attorneys fees and \$181.00 costs incurred in the filing of this motion.

10. Schedule A filed herein by the Debtor assets a value of \$254,200.00 for the property. The first mortgage has filed a proof of claim in the amount of \$72,754.18.

11. HOYA is not adequately protected. The equity held is depreciating based on Debtor's failure to make payments.

12. The property is not necessary for an effective reorganization.

13. Cause exists for relief from the automatic stay and co-debtor stay.

**WHEREFORE**, Movant respectfully requests that this Honorable Court Terminate the automatic stay, to allow Movant to foreclose upon the property known as 15378 Inlet Place, Dumfries, VA 22025.

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Attorney for HOYA Federal Credit Union

**CERTIFICATION OF SERVICE**

I, Diana C. Theologou, Esq. of 11200 Rockville Pike, Suite 520, North Bethesda, MD 20852 certify that on the 15th of March 2018 the foregoing Motion Seeking Relief from Automatic Stay, Notice of Motion for Relief from Stay and Hearing, and accompanying exhibits on the Respondents in this proceeding a true copy of the foregoing was served by first class mail, postage prepaid, on:

Chapter 13 Trustee  
Thomas P. Gorman  
300 N. Washington St., Ste. 400  
Alexandria, VA 22314

Alice Jean Vasko  
15378 Inlet Place  
Dumfries, VA 22025

John C. Morgan, Jr.  
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98 Alexandria Pike, Ste. 10  
Warrenton, VA 20186

/s/ Diana C. Theologou  
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